

Browne & Woods LLP

MEMORANDUM

STATE BAR OF CALIFORNIA INTELLECTUAL PROPERTY SECTION TRADE SECRET COMMITTEE

June 1, 2004 Meeting Minutes

1. **Attendance.** The following Committee members attended the March 16, 2004 telephonic meeting: Ben Scheibe, John Yates, Bart Smith, Paul Stone, and David Morales.

2. **Update On Trade Secrets Treatise.** Ben updated committee members on the progress of the Trade Secret treatise edited by Randy Kay and Bec Edelson and written by members of the Committee, and solicited assistance in finalizing the chapters. It is anticipated that the treatise will be published in advance of the next IP Institute. Volunteers are still needed to proof-read and do light editing of chapters. Please contact Randy or Bec if you wish to volunteer.

3. **New cases.**

John Yates led a discussion of the recent opinion of the Court of Appeal on remand in *State Farm Mutual Automobile Insurance Co. v. Garamendi* (2004) Ct. App. 1/1 A093193, S102251.

4. **Speaking Opportunities/Writing Opportunities.**

The Committee members discussed potential writing and speaking opportunities. Recently, Randy Kay, Bec Edelson, and Ben Scheibe spoke at the IP Section's "Intellectual Property Litigation Issues for In-house Counsel" program on May 21-22, 2004.

The members also discussed the need for the Committee to keep a flow of articles to *New Matter*. John Yates and Ben Scheibe have articles in progress that should be sufficient for the next two issues. The upcoming submission deadlines for those issues are:

<u>Deadline</u>	<u>Issue Date</u>
July 19, 2004	August/Sept. 2004
Oct. 25, 2004	December 2004

Members interested in writing an article (from 1500 to 6000 words) should e-mail Ben with a proposed topic and target date so that Ben may reserve the topic with *New Matter* and coordinated the flow of articles from the Committee.

5. Plain English Trade Secret Jury Instruction Project. As mentioned in prior minutes, a subcommittee has been established, consisting of Ben Scheibe, Carolyn Sieve, Randy Kay, Marshall Lerner, Bec Edelson, and Robert Freitas. Robert Freitas has volunteered to head the Committee and to act as a clearinghouse to collect instructions from Committee members. All committee members are encouraged to provide trade secret instructions they have found useful in the past to Robert Freitas: RFreitas@Orrick.com

6. New Project(s).

It was mentioned that the "Frequently Asked Questions" page on our Committee's website is somewhat out of date. Committee members are asked to review the page with an eye towards updating the pages and making them more user friendly. Suggestions can be e-mailed to Ben (ben@brownwoods.com) or submitted at the next meeting. If anyone wants to volunteer to head up a website project, please e-mail Ben. Our current pages may be viewed at:

http://www.calbar.ca.gov/state/calbar/calbar_sections_generic.jsp?sImagePath=Intellectual-Property-Section_with-right-menu.gif&sCategoryPath=/Home/Attorney%20Resources/Sections/Intellectual%20Property%20Law/Standing%20Committees/Trade%20Secrets&sAdsPath=sectionsads/IP_Cmte_Secrets_Ho

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http://www.calbar.ca.gov/state/calbar/calbar_sections_generic.jsp?sImagePath=Intellectual-Property-Section.gif&sCategoryPath=/Home/Attorney%20Resources/Sections/Intellectual%20Property%20Law/Standing%20Committees/Trade%20Secrets&sRightMenuPath=sectionsrightmenu/IP_Cmte_Home-Page.html&sHeading=Frequently%20Asked%20Questions&sAdsPath=sectionsads/IP_Cmte_Secrets_FAQ.html&sFileType=HTML&sCatHtmlPath=html/IP_Cmte_Secrets_FAQ.html

7. Next Meeting. The Trade Secret Committee will have its next telephonic meeting on Tuesday, August 24, 2004 at 3:00 p.m. Ben will circulate call-in information in advance of the meeting.